
**675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532**



**Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE**

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, December 17, 2013 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 305-2013 amending the current Parking Regulations, Section 17.30.180 of the Rio Dell Municipal Code.**

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the December 17, 2013 by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:


A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.



For Meeting of: December 17, 2013

To: City Council

From: Kevin Caldwell, Community Development Director 

Through:  Jim Stretch, City Manager

Date: December 10, 2013

Subject: Design Review Regulations Text Amendment Section 17.25.050(3) of the Rio Dell Municipal Code (RDMC).

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendments;
2. Continue the public hearing, receive public input and close the public hearing;
3. Adopt Ordinance No. 309-2013 amending the Design Review Regulations, Section 17.25.050(3), of the Rio Dell Municipal Code;
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background/Summary

At your meeting of December 3, 2013, staff introduced (first reading) Ordinance 309-2013, a proposed text amendment to the Design Review Regulations, Chapter 17.25.050(3) of the Rio Dell Municipal Code (RDMC).

As reported at the meeting of August 6th, storage sheds less than 120 square feet do not require a building permit. However, they are subject to the Zoning regulations, including Design Review, setbacks and lot coverage.

Staff is recommending that the City amend the Design Review regulations to provide for exemptions of projects that do not require Building Permits. In addition, staff recommended the City amend Section 17.25.050(3)(a), the exemption for additions to structures less than 10% of its existing size to include the same findings for projects that do not require a Building Permit. As such, additions to structures less than 10% of its existing size and projects that do not require a Building Permit would be exempt provided:

- (1) The improvements employ the same materials, colors and design as the original or existing construction and compliments; and
- (2) The improvements are compatible with the character of the surrounding area; and
- (3) The improvements are not detrimental to the value of properties in the area and do not reduce the visual appearance of the area.

Zone Reclassification Required Finding:

- 1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.**

There are no policies in the General Plan which would discourage or prohibit amending the Design Review Regulations to exempt additions to structures less than 10% of its existing and projects that do not require a Building Permit.

- 2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).**

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

Based on the nature of the amendment, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the

California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendment, staff believes there is no evidence to suggest that the amendments will have a significant effect on the environment.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Ordinance No. 309-2013 amending Section 17.25.050(3) of the Rio Dell Municipal Code.
2. Post Adoption Summary.

ORDINANCE NO. 309 – 2013



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE DESIGN REVIEW REGULATIONS, SECTION 17.25.050 OF THE RIO
DELL MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS the City was recently contacted regarding the placement of a pre-constructed storage shed on a commercial parcel on Wildwood Avenue; and

WHEREAS storage sheds less than 120 square feet do not require a building permit. However, they are subject to the Zoning regulations, including Design Review, setbacks and lot coverage; and

WHEREAS the intent of the Design Review regulations is to make sure that any commercial development, especially on Wildwood Avenue is tastefully done, compliments and is compatible with the character of the surrounding area, is not detrimental to the value of properties in the area and does not reduce the visual appearance of the area; and

WHEREAS under the proposed amendment additions to structures less than 10% of its existing size and work or improvements that do not require building permits may be found exempt from the Design Review regulations provided the improvements employ the same materials, colors and design as the original or existing construction and compliments and is compatible with the character of the surrounding area, is not detrimental to the value of properties in the area and does not reduce the visual appearance of the area; and

WHEREAS the proposed amendment will allow for a ministerial review of proposed projects to determine if the proposed improvements, including those projects that do not require a building permit, trigger Design Review or if they could be found exempt from Design Review; and

WHEREAS the City has reviewed and processed the proposed amendments in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendments in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell finds that:

1. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
2. The City has determined that the proposed amendment is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Section 17.25.050(3) of the Rio Dell Municipal Code is hereby established as follows:

3. Design Review Exemptions

The following structures and improvements are exempt from Design Review. However, such structures may require additional permits, such as a ministerial building permit to ensure compliance with adopted Building Code standards and applicable Zoning Code provisions.

- (a) Additions to structures less than 10% of its existing size provided the improvements employ the same materials, colors and design as the original or existing construction and compliments and is compatible with the character of the surrounding area, is not detrimental to the value of properties in the area and does not reduce the visual appearance of the area;
- (b) Repairs and maintenance of site improvements or structures that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure. Exterior repairs that employ the same materials and design as the original construction

are also exempt from Design Review;

- (c) Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure;
- (d) Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments (e.g., water, gas, electric or telecommunication supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and similar facilities and equipment);
- (e) Work or improvements that do not require building permits provided the improvements employ the same materials, colors and design as the original or existing construction and compliments and is compatible with the character of the surrounding area, is not detrimental to the value of properties in the area and does not reduce the visual appearance of the area.

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines. Due to the nature of the proposed code revision, there is no evidence that a **significant** impact to the environment would occur as a result of adoption of the Ordinance.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on December 3, 2013 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 17th of December 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 309-2013 adopted by the City Council of the City of Rio Dell on December 17, 2013.

Karen Dunham, City Clerk, City of Rio Dell



Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, December 17, 2013 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall to approve and adopt **Ordinance No. 309-2013 amending the Design Review Regulations, Section 17.25.050(3), of the Rio Dell Municipal Code.**

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the December 17, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.

*675 Wildwood Avenue
Rio Dell, CA 95562*



TO: Rio Dell City Council

FROM: Karen Dunham, City Clerk

THROUGH: Jim Stretch City Manager

DATE: December 17, 2013

SUBJECT: Amending City Council meeting provisions on Election Day

RECOMMENDATION

Conduct second reading (by title only) of Ordinance No. 310-2013 Amending Council Meeting Regulations, Section 2.05.070 (Holidays) of the Rio Dell Municipal Code; open public hearing to receive public input, close public hearing and approve the adoption of Ordinance 310-2013.

BACKGROUND AND DISCUSSION

At the December 3, 2013 Council meeting, the proposed ordinance was introduced with the first reading (by title only), amending Council Meeting Regulations, Section 2.05.070 of the Rio Dell Municipal Code, deleting any reference to rescheduling a Council meeting if it occurs on an election day.

If adopted, the ordinance will become effective thirty (30) days after its adoption which will be January 16, 2014.

ORDINANCE NO. 310-2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING COUNCIL MEETING REGULATIONS, SECTION 2.05.070 (HOLIDAYS) OF THE RIO DELL MUNICIPAL CODE

WHEREAS, Rio Dell Municipal Code Section 2.05.070 currently provides that in the event that the first or third Tuesday of any month falls on a legal holiday or election day, the Council meeting shall be held on the following Thursday; and

WHEREAS, this provision was adopted to facilitate the use of the Council Chambers as a polling place during said elections; and

WHEREAS, the use of the Council Chambers is no longer needed for election purposes given that the local polling place is currently located at 95 Center St., Rio Dell; and

WHEREAS, staff does not believe that the automatic rescheduling of a regular Council meeting because of an election serves any public purpose, given that the polls are open from 7:00 AM to 8:00 PM and absentee ballots are easily available.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rio Dell does hereby amend Rio Dell Municipal Code Section 2.05.070 as follows:

Section 2.05.070 Holidays

In the event that the first or third Tuesday of any month falls on a legal holiday ~~or election day~~, the meeting shall be held on the following Thursday, at the same place and at the same hour.

Effective Date

This ordinance becomes effective thirty (30) days after its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on December 3, 2013 and furthermore the foregoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the December 17, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:


I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 310-2013 adopted by the City Council of the City of Rio Dell on December 17, 2013.


Karen Dunham, City Clerk



For Meeting of: December 17, 2013

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim Stretch, City Manager 

Date: December 12, 2013

Subject: Nuisance Regulations Text Amendment Chapter 8.10 of the Rio Dell Municipal Code (RDMC).

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendments; and
2. Continue the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 311-2013 amending the current Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code.
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background/Summary

At your meeting of December 3, 2013, staff introduced (first reading) Ordinance 311-2013, a proposed text amendment amending the Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code (RDMC).

As reported at the December 3rd meeting, the proposed amendments include adding definitions of "Driveway" and "Improved Surface", some minor grammatical revisions to capitalize the term "Notice of Violation", include a reference to the "City Manager" where "manager" is currently referenced and the capitalization of "Code Compliance Officer". Staff also recommended that Section 8.10.150 "Service of Notice of Violation" be amended to require conformation of delivery of the Notice as is required for the Notice and Order to Abate. In addition, staff recommended that the required contents of the Notice and Order to Abate be expanded to provide full disclosure of the process and consequences of failing to comply with the Notice and Order to Abate.

Staff has subsequently discovered that Section 8.10.300, "*Notice of Violation for Abandoned or Inoperable Vehicles*" appears to contain an incorrect reference to Section 8.10.140. This Section actually refers to "...a permit, license or other approval of a project...". Staff discussed the reference with the City Attorney, and he agrees that the reference is in error and recommends eliminating the reference. In addition, the recommended format of the "*Notice of Intention to Abate and Remove an Abandoned, Wrecked, Dismantled or Inoperable Vehicle or Parts Thereof as a Public Nuisance*" contains the following language:

If you fail to remove the vehicle or parts within ten (10) days, the City will abate the nuisance by removing the vehicle or parts to a scrap yard or automobile dismantler's yard, after which the vehicle or parts shall not again be made operable or reconstructed.

In addition, Section 8.10.360 also contains similar language as identified below:

After a vehicle has been removed it shall not thereafter be reconstructed or made operable, unless it is a vehicle that qualifies for either horseless carriage license plates or historical vehicle plates, pursuant to California Vehicle Code Section 5004, in which case the vehicle may be reconstructed or made operable.

Staff was curious as to why the City would not allow or even has the authority to not allow a scrap yard or auto dismantler's yard from recycling or reusing the vehicles, parts thereof or be reconstructed or made operable. Staff also discussed this language with the City Attorney and he has recommended eliminating the language in both the "*Notice of Intention to Abate and Remove an Abandoned, Wrecked, Dismantled or Inoperable Vehicle or Parts Thereof as a Public Nuisance*" and Section 8.10.360. Staff has amended the proposed Ordinance accordingly.

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. A copy of the Post Adoption Summary is included as Attachment 5.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Draft Ordinance No. 311-2013 amending the Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code.
2. Post Adoption Summary.

ORDINANCE NO. 311 – 2013



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE CURRENT NUISANCE REGULATIONS, CHAPTER 8.10
OF THE RIO DELL MUNICIPAL CODE:**

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

WHEREAS the City adopted a revised Nuisance Ordinance in July of this year; and

WHEREAS the revised Nuisance Ordinance was adopted because some citations and references included in the previous Nuisance Ordinance were either outdated or incorrect; and

WHEREAS the Community Development Department has recently assumed some of the City's code enforcement responsibilities to help out the Police Department; and

WHEREAS in assuming this role, staff has identified some needed minor revisions to the Nuisance Ordinance; and

WHEREAS the first revision includes adding the definitions of "Driveway" and "Improved Surface", 2013; and

WHEREAS staff is also recommending some minor grammatical revisions to capitalize the term "Notice of Violation", include a reference to the "City Manager" where "manager" is currently referenced and the capitalization of "Code Compliance Officer"; and

WHEREAS staff is also recommending that Section 8.10.150 "Service of Notice of Violation" be amended to require conformation of delivery of the Notice as is required for the Notice and Order to Abate; and

WHEREAS staff is also recommending that the required contents of the Notice and Order to Abate be expanded to provide full disclosure of the process and consequences of failing to comply with the Notice and Order to Abate; and

WHEREAS staff is also recommending that Section 8.10.150 "Service of Notice of Violation" be amended to require conformation of delivery of the Notice as is required for the Notice and Order to Abate; and

WHEREAS staff also discovered that Section 8.10.300, "*Notice of Violation for Abandoned or Inoperable Vehicles*" appears to contain an incorrect reference to Section 8.10.140. This Section, 8.10.140, actually refers to "...a permit, license or other approval of a project..."; and

WHEREAS staff discussed the reference with the City Attorney, and he agrees that the reference is in error and recommends eliminating the reference; and

WHEREAS the recommended format of the "*Notice of Intention to Abate and Remove an Abandoned, Wrecked, Dismantled or Inoperable Vehicle or Parts Thereof as a Public Nuisance*" and Section 8.10.360 contains language that would not allow a scrap yard or auto dismantler's yard from recycling or reusing the vehicles, parts thereof or be reconstructed or made operable; and

WHEREAS staff discussed the prohibition of allowing a scrap yard or auto dismantler's yard from recycling or reusing the vehicles, parts thereof or be reconstructed or made operable with the City Attorney and he has recommended eliminating the language in both the "*Notice of Intention to Abate and Remove an Abandoned, Wrecked, Dismantled or Inoperable Vehicle or Parts Thereof as a Public Nuisance*" and Section 8.10.360.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. The Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code is hereby amended as follows:

Chapter 8.10

NUISANCES

Article 1. Nuisances Generally

8.10.010. Application.

The provisions of this chapter shall apply to all property throughout the City of Rio Dell wherein any of the conditions, hereinafter specified, are found to exist; provided, however, that any condition which would constitute a violation of this chapter, but which is duly authorized under any other City, state or federal law, shall not be deemed to violate this chapter.

8.10.020. Definitions.

For the purposes of this chapter, the following words shall have the specified meanings:

(A) Blight. For purposes of this Code, visual blight is any unreasonable, non permitted or unlawful condition or use of real property, Premises or of building exteriors which by reason of its appearance as viewed from the public right-of-way, *is detrimental to the property of others or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood. Visual blight includes, but is not limited to, the keeping, storing, depositing, scattering over or accumulation on the Premises any of the following:*

- (1) Lumber, junk, trash, debris, scrap metal, rubbish, packing materials, building materials.
- (2) Abandoned, discarded or unused objects or equipment such as furniture, stoves, appliances, refrigerators, freezers, cans or containers, automotive parts and equipment.
- (3) Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned and are in an active state of renovation or restoration. For purposes of this article, "active state of renovation or restoration" means that the vehicle is actively being restored or renovated in a manner intended to make the vehicle operational, and shall not include restoration or renovation that solely improves the interior or exterior appearance, but not the operation, of the vehicle. A vehicle shall only be permitted to be in an active state of renovation or restoration for a period that shall not exceed ninety days, whether consecutive or non-consecutive, out of any twelve month period.
- (4) Stagnant water or excavations.
- (5) Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location.
- (6) Vehicles parked on any surface other than an "improved surface" or "driveway" as those terms are defined.
- (7) Any condition of a building or structure deemed to be unsafe or that in the discretion of the City Manager or his/her designee, or the Department Head, would constitute a threat to public safety, health, or welfare, or poses a security problem by reason of dilapidation, fire hazard, disaster, damage or other similar occurrence specified in this Code or any other applicable law.
- (8) Any condition of a building or portion thereof which constitutes a substandard building, as defined in Health and Safety Code Section 17920.3 or its successor.

(9) Filling of any swimming pool with water prior to the final safety inspection required by the California Code of Regulations, conducted by City inspectors and before such final inspection has been noted on the permit card obtained from the City.

(B) City. The City of Rio Dell, a municipal corporation of the State of California.

(C) City Council. The duly elected City Council for the City of Rio Dell.

(D) City Council Member. Any currently seated member of the City Council for the City of Rio Dell.

(E) City Manager. The City Manager for the City of Rio Dell.

(F) Code or City Code. The "Code" shall mean the Municipal Code for the City of Rio Dell.

(G) Code Compliance Administrator. The City Manager and the authorized representative(s) of the City Manager.

(H) Department Head. The Police Chief, the City Manager, and the City Attorney, and their authorized representative(s).

(I) Driveway. An improved all weather, including gravel, decomposed granite, asphalt, concrete or comparable surface, access road from a private or public street onto a parcel.

(J) Highway. Any road, street, alley, way or place of whatever nature, publicly maintained and opened to the use of the public for purposes of vehicular travel. Highway includes City streets.

(K) Improved Surface. An improved all weather, including gravel, decomposed granite, asphalt, concrete or comparable surface.

(L) Inoperative vehicle. Any vehicle which cannot be legally operated on the street because of lack of current registration or, lack of an engine, transmission, wheels, tires, windshield or any other part or equipment necessary to operate on public streets and/or highways.

(M) Junk. Any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material, including but not limited to those composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, plaster, plaster of parts, rubber, terra cotta, wool, cotton, cloth, canvas, wood, metal, sand, organic matter or other substance.

(N) Junkyard. Any Premises on which any junk is abandoned, bailed, bartered, bought, brought, bundled, deposited, disassembled, disposed of, exchanged, handled, kept, stored or transported, regardless of whether or not such activity is done for profit.

(M) **Q Notice and Order.** A Notice and Order is legal notice which details structural or technical Code violations such as illegal construction, conversions, alterations, illegal plumbing, mechanical or electrical installations, dangerous buildings, substandard housing or similar.

(N) **P Owner.** Owner of record of real property, occupant, lessee, or interested holder in same, as the case may be including the owner of real property whereon a vehicle(s) or part(s) thereof is located.

(O) **Q Person.** Any individual, group of individuals, firm, entity or corporation owning, occupying or using any Premises.

(P) **R Planning Commission.** The Planning Commission for the City of Rio Dell.

(Q) **S Police Chief.** The Police Chief for the City of Rio Dell.

(R) **T Premises.** Any real property or improvements thereon located in the City of Rio Dell.

(S) **U Service Station.** Any Premises upon which the improvements are designed and built for the primary purpose of selling to or providing others with fuels for internal combustion engines or motor vehicles, whether or not providing related automotive maintenance and repair service.

(T) **V Special Assessment Lien.** A special assessment lien is a lien placed on real property and is collected by the county tax assessor.

(U) **W Vehicle.** Any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

8.10.030. Nuisances.

It is hereby declared unlawful and a public nuisance per se for any person owning, leasing, occupying and/or having charge or possession of any Premises or land in this City to permit, allow, or maintain such Premises or land such that any one or more of the following conditions or activities exist:

(A) Any condition recognized in law or equity as constituting a public nuisance including, without limitation, any condition on or use of property which would constitute a nuisance as defined in California Penal Code §§ Sections 370, 371 and/or 11225;

(B) Any dangerous, unsightly, or blighted condition that is detrimental to the health, safety or welfare of the public;

(C) Any condition that is in violation of any duly enacted ordinance of the Rio Dell Municipal Code, or resolution or lawful order promulgated by authorized City officials;

(D) Any condition in violation of Chapters 8, 15, and 17 of this Code, including any condition in violation of any written design finding, including design standard, design guideline, or development standard that may be adopted by resolution or ordinance from time to time by the City Council or the planning commission, or any condition imposed on any entitlement, permit, contract, or environmental document issued or approved by the City;

(E) Any condition in violation of Chapter 8.25 of this Code entitled "Premises Used for Drug Related Activity."

(F) Anything defined as a nuisance pursuant to state and federal law including but not limited to California Civil Code Section 3479 et seq.;

(G) Any condition in violation of the weed and rubbish abatement laws defined at Government Code Sections 39501 et seq. and 39560 et seq. as enacted or hereafter amended and enforced by City ordinance and resolutions;

(H) Any vacant, unoccupied or abandoned building or structure that is not reasonably secured against uninvited entry or that constitutes a fire hazard, or is in a state of unsightly or dangerous condition so as to constitute a blighted condition detrimental to property values in the neighborhood or otherwise detrimental to the health, safety and welfare of the public;

(I) Any condition that constitutes an attractive nuisance; those objects or conditions that, by their nature may attract children or other curious individuals including, but not limited to, unprotected hazardous or unfilled pools, ponds, including pools or ponds that have not been properly barricaded, ice boxes, refrigerators or excavations;

(J) Any condition that constitutes a visual Blight.

8.10.040. Responsibility for Property Maintenance.

(A) Every owner of real property within the City is required to maintain such property in a manner so as not to violate the provisions of this chapter and such owner remains liable for violations thereof regardless of any contract or agreement with any third party regarding such property.

(B) Every occupant, lessee, tenant or holder of any interest in property, other than as owner thereof, is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed on the owner thereof shall in no instance relieve those persons referred to from the similar duty.

Article 2. Enforcement

8.10.050. Authority.

(A) The City Manager is hereby authorized to administer and enforce all of the provisions of this chapter. In accordance with approved procedures, the City Manager may assign said authority to Department Heads and/or employ qualified officers, inspectors, assistants, and other employees as shall be necessary to carry out the provisions of this chapter. The authority of the City Manager to enforce the provisions of this chapter is independent of and in addition to the authority of other City officials to enforce the provisions of any other chapter of the City Code.

(B) Pursuant to California Code of Regulations, Title 25, Section 52, the procedures contained in this chapter are deemed to be equivalent for the purposes intended by, and may be used in lieu of, the regulations and procedures for abatement contained in Article 6 of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations which addresses mobile homes and parks.

(C) Nothing in this chapter shall be construed to limit the authority of the Police Chief of the City to enforce all laws within the Police Chief's jurisdiction.

8.10.060. Right of Entry.

(A) Whenever it is necessary to make an inspection of any Premises to enforce the provisions of this chapter, and to the extent authorized by law, the Code Compliance Administrator or a Department Head authorized by the Code Compliance Administrator may enter on such Premises at all reasonable times to inspect the same or to perform any duty imposed upon him/her by this Code, subject to the requirements of Amendment IV of the United States Constitution and any other provisions of applicable law.

(B) Whenever practicable, the Code Compliance Administrator or the Department Head shall contact the occupant of such Premises 24 hours prior to entry and inform the occupant of the reasons for such entry onto such property, and if the occupant is other than the owner, the Code Compliance Administrator or the Department Head shall also, if practicable, contact such owner. This does not prevent entering the property within the 24 hours of notification with the owner or occupant's permission.

(C) If entry onto any Premises is denied by the owner or occupant of such Premises, or by any third party, the Code Compliance Administrator or authorized Department Head shall have recourse to every remedy provided by law to secure peaceable entry on such Premises to perform the duties required by this chapter.

8.10.070. Violations and Penalties.

(A) It shall be unlawful for any person, firm, corporation, or other entity to violate any provision of this chapter. Any person, firm, corporation, or other entity, whether as owner, lessee, sub lesser, sub lessee, or occupant of any Premises that violates the provisions of this chapter or any order issued pursuant to this chapter shall be subject to any or all of the following:

- (1) Such person shall be subject to summary or administrative abatement of the nuisance by the City, and be subject to fines, civil penalties, fees and costs, including reasonable attorney fees imposed by the City pursuant to the summary or administrative abatement procedures contained in the City Code or any other provisions of law;
- (2) Such person shall be guilty of a misdemeanor for each day such violation continues, and upon conviction thereof, shall be punished for each violation by a fine not to exceed **one thousand dollars**, or by imprisonment of not longer than six months, or both for each violation;
- (3) Such person shall be prosecuted in a civil action, criminal action, or both brought by the City. The City Attorney or other authorized legal representative may bring an action in a court of competent jurisdiction to enjoin or prosecute any nuisance violation of this chapter, or violation of any other ordinance of the City;
- (4) Each and every day that any such violation continues to exist shall constitute a continuing and separate offense.

8.10.080. Additional Enforcement.

Nothing in this chapter shall be deemed to prevent the City from commencement of any available administrative, civil and/or criminal proceeding to abate a nuisance pursuant to all applicable provisions of law as an alternative and/or in addition to any enforcement proceedings set forth in this chapter.

8.10.090. Cumulative Remedies.

The remedies set forth in this chapter include summary and administrative abatement, administrative citations, civil actions, criminal actions and all other remedies provided for by law. All remedies set forth in this chapter and in all City ordinances for the abatement or punishment of any violation thereof, are cumulative and may be pursued alternatively or in combination. Provisions of this Code are to be supplementary and complementary to all of the City ordinances, the Rio Dell Municipal Code, state law, and any law cognizable at common law or in equity, and nothing herein shall be read, interpreted or construed in any manner so as to

limit any existing right or power of the City to abate any and all nuisances and to enforce its ordinances.

8.10.100. Permits Required.

When a permit is required to correct a Code violation pursuant to a Code compliance action, the property owner shall complete the permit, including all inspections, corrections, and work in accordance with a timeline established by the Code Compliance Administrator. In establishing the timeline the Code Compliance Administrator shall provide a time frame, which in his or her judgment, is reasonable to expeditiously complete the permit. Failure to strictly adhere to the established timeframe shall be deemed a continuing violation subject to the remedies established in this article. Nothing in this chapter shall be construed to relieve the violator from payment of any and all costs incurred by the City in enforcing and/or causing the abatement of any violation of the City of Rio Dell Municipal Code.

Article 3. Summary Abatement

8.10.110. Summary Abatement.

(A) The City may immediately abate any nuisance or violation of this chapter that poses a clear and imminent danger to, or requires immediate action to prevent or mitigate the loss or impairment of, life, health, property, or essential public services. The City may perform this abatement without providing prior notice or hearing to the owner or occupier of the offending Premises. Such summary abatement may proceed only upon the authorization of the City ~~m~~Manager and the City Attorney, or their respective designees. The abatement shall include all actions necessary to secure the Premises to prevent further occurrences of the nuisance.

(B) The owner and/or occupier of the Premises or the persons creating, causing, committing, or maintaining the nuisance shall be subject to any administrative fines, penalties, fees and costs, including reasonable attorney fees, imposed or incurred by the City pursuant to this chapter.

(C) Any abatement performed by the City pursuant to this section shall be at the expense of the owner and/or occupier of the Premises or the persons creating, causing, allowing, permitting, committing, or maintaining the nuisance. The City shall recover its expenses pursuant to the special assessment lien procedures contained in this Code or any other applicable provision of law.

(D) As soon as practicable following completion of the abatement, the Code Compliance Administrator or the Department Head shall issue a ~~a~~ Notice of ~~v~~ Violation and/or Notice and Order in accordance with this chapter. Persons receiving such notice shall be entitled to all hearing rights as provided herein.

(E) If a structure is deemed untenable pursuant to California Civil Code § 1941.1 and the Code ~~e~~ Compliance ~~e~~ Officer determines that the structure is in such a condition as to make it

immediately dangerous to the health and safety of the occupants or public, it shall be ordered to be vacated and posted as unsafe.

Article 4. Administrative Abatement

8.10.120. Commencement of Proceedings.

(A) Whenever the Code Compliance Administrator or the Department Head has inspected or caused to be inspected any Premises or condition and has found and determined that such Premises or condition are in violation of this chapter, and that such violation does not pose an immediate danger to health or safety, the City Manager or his/her designee may commence proceedings to cause abatement of the nuisance as provided herein. When the City Manager or his/her designee, or Department Head has found that a violation of this chapter poses an immediate danger to health or safety, the City Manager or his/her designee, or Department Head may pursue any remedies available under this chapter or by law, including, but not limited to, summary abatement or administrative citation.

(B) Once proceedings have been commenced pursuant to this chapter to declare a public nuisance, no Premises or building shall be deemed to be in compliance with this chapter solely because such building or Premises thereafter becomes occupied or unoccupied.

8.10.130. Notice of Violation.

(A) Upon determination by the Code Compliance Administrator or the Department Head that a premise is in violation of this chapter, and a ~~Notice of~~ Violation and/or a Notice and Order has not been issued against the same Premises, or the same property owner but at a different premise, address or location, within the City, within the last twelve months, and that the violation does not create an immediate danger to health or safety, City Manager or his/her designee or the Department Head may issue a ~~Notice of~~ Violation to the owner of record of the Premises and to the occupant of the Premises, if any. The ~~Notice of~~ Violation shall contain:

- (1) The name and address of the person, firm, or corporation in violation, and the street address of the property where the violation is present;
- (2) A statement specifying the condition(s) which constitute a nuisance;
- (3) A statement explaining which specific Code sections has been violated;
- (4) The range of the administrative, civil and/or criminal actions and monetary penalties, as described herein, that the City may impose for such violations if not corrected;

- (5) An order to correct the violation within a date certain, said date which shall be specified on the notice of violation and determined by the specific violation; and
- (6) A statement informing the recipient of the name and office telephone number of the person to contact should the recipient desire to explain why he or she believes

(a) the Premises should not be declared to be a public nuisance and abated,

(b) penalties should not be assessed, and

(c) the costs of such abatement should not become a charge and lien against the Premises. The Department Head may rescind or modify the ~~N~~Notice of ~~V~~Violation based on substantive evidence presented by the recipient.

8.10.140. Stop Work Order.

If the violation is related to a permit, license or other approval of a project, the notice of violation may be accompanied by a stop work order which orders the recipient to stop immediately any and all work on the project that is subject to the permit, license or approval until the violation is corrected.

8.10.150. Service of Notice of Violation.

A copy of the notice of violation, and any amended or supplemental notices, shall be served either by personal delivery or by First Class U.S. mail, postage prepaid with confirmation of delivery by the U.S. Postal Service, upon the record owner at the address as it appears on the latest equalized assessment roll of Humboldt County, and upon the occupant of the Premises, if any. If neither of these methods result in the notice being served upon the record owner and any occupants after reasonable attempts to serve, a copy of the notice shall be posted on the Premises.

8.10.160 Notice and Order—Structural and Technical

Notice and Orders are primarily used for structural or technical Code violations such as illegal construction, conversions, alterations, illegal plumbing, mechanical or electrical installations, dangerous buildings, substandard housing or similar. When issued, the violation must be remedied in thirty calendar days, unless there is an immediate danger risk. If there is an eminent threat of danger the violation must be remedied immediately.

(A) Grounds for Issuance. A Notice and Order may be issued under any of the following circumstances:

- (1) When a ~~N~~Notice of ~~V~~Violation has been served, and the specified time has passed without adequate correction and abatement of the violation;

- (2) When a stop work order has been issued but has not been complied with;
- (3) When the City has performed a summary abatement pursuant to this chapter;
- (4) When the same type or character of violation has been committed by the same person, or on the same Premises, or a notice of violation, an administrative citation, or a Notice and Order has been served on the same person, or on the same Premises, within the past twelve months.

(B) Contents of Notice and Order. A Notice and Order shall contain the following:

- (1) The name and address of the person, corporation, or entity in violation, and the street address of the property where the violation is present;
- (2) A statement specifying the condition(s) which constitute a violation and nuisance;
- (3) A statement explaining which specific Code section(s) have been violated;
- (4) A statement informing the recipient of the number of days from the date of the Notice and Order the recipient has to voluntarily abate the violation and nuisance;
- (5) A statement informing the recipient of his or her right to appeal the determination to a hearing officer by filing with the City Clerk within ten calendar days from the date of the Notice and Order, and on a form available from the City of Rio Dell, a written statement requesting a hearing and providing a factual and specific explanation of:
 - (a) why the Premises should not be declared to be a public nuisance and abated; and
 - (b) why the costs of such abatement should not become a special assessment lien against the Premises;
- (6) A statement informing the recipient of the Notice that there is a fee, which is set by resolution by the City Council of the City of Rio Dell that must be deposited at the time an appeal is filed.
- (7) A statement that if the person, corporation or entity fails to abate the violation and nuisance or fails to file within ten calendar days, a request for an appeal hearing, the Notice and Order shall be final and not subject to judicial review, and all persons served with such notice shall be deemed to have consented to the abatement of the nuisance and that, at the election of the City, the City will abate the nuisance and the costs of such abatement may be charged against the Premises and may be recorded as a special assessment lien against the Premises.

(8) A statement regarding the range of the administrative, civil and/or criminal actions and monetary penalties, as described herein, that the City may impose for such violations if not corrected;

(9) A statement regarding the failure to obey order and abatement by the City or private contractor, including the City to obtain a warrant if required to enter upon the Premises for the purpose of abating the nuisance.

(10) A statement regarding the costs of abatement and that such person or persons who fail to abate the nuisance shall be liable to the City for any and all costs and expenses, including attorneys' fees, to the City involved in abating the nuisance.

(11) A statement regarding the procedure for assessing the costs for the abatement: If the person or persons liable to pay the costs of abatement fails to do so within thirty (30) calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section 54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. City staff shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

(11) A statement regarding the total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.

11. A statement informing the recipient of the names or names and phone numbers of the person to contact at the City should they have any questions regarding the process.

(C) Service of Notice and Order.

(1) **Persons Entitled to Service.** The Notice and Order shall be served upon the owner of the Premises, any occupants of the Premises, and any other person, corporation, or entity in violation. If the City proposes to impose a special assessment lien on the property, the City official issuing the Notice and Order shall also serve one copy on each of the following if known or disclosed from official public records:

(a) the holder of any mortgage, deed of trust, or other encumbrance of record; and

(b) the owner or holder of any lease of record. The failure of the City official issuing the order to serve any person required to be served shall not invalidate any proceedings under this chapter or relieve any person who was duly served from any duty or obligation imposed on him/her by the provisions of this section.

(2) **Method of Service.** Unless otherwise provided in this section, service of a Notice and Order shall be made by personal service or by First Class U.S. mail, postage prepaid with confirmation of delivery by the U.S. Postal Service. Service on any property owner in violation is deemed complete when it is served or delivered at the address listed by the property owner on the latest equalized assessment roll of Humboldt County, or as known to the City official issuing the order. If personal service or service by mail with confirmation of delivery is not reasonably feasible, service of the Notice and Order may be made by posting the notice on the subject Premises and sending a copy by regular United States mail service. Service posting in the manner herein provided shall be effective on the date of posting. As an alternative, substituted service of the Notice and Order may be made as follows:

(a) (i) By leaving a copy during usual business hours at the recipient's business with the person who is apparently in charge, and then mailing a copy by first-class mail to the recipient at the address where the copy was left; or

(ii) By leaving a copy at the recipient's dwelling or usual place of abode, in the presence of a competent member of the household, and then mailing a copy by first-class mail to the recipient at the address where the copy was left.

(b) If the party entitled to service has a property manager or rental agency overseeing the Premises, substituted service may be made as set forth in above upon the property manager or rental agency.

(c) Substituted service may be made by posting the Notice and Order on the Premises and mailing a copy of the Notice and Order to the person, corporation, or entity in violation at the address of the property on which the violation has occurred or is occurring.

(d) If the person, corporation, or entity in violation or other person entitled to service cannot be located or service cannot be made as set forth in this section, service may be made by publication in a newspaper of general circulation in Humboldt County. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

(D) Record. Preparation of a record of the proceeding shall be governed by California Code of Civil Procedure Section 1094.6, as presently written or hereinafter amended.

8.10.170. Appeal Hearing—Notice and Order.

(A) Payment of Appeal Fee. Any person, corporation, or entity seeking to appeal a Notice and Order shall be required to pay to the City, at the time the appeal is requested, a nonrefundable appeal fee to be set by resolution of the City Council. The appeal fee is intended to cover the costs, expenses, and City employees' time incurred by the City in processing, preparing for, and hearing of the appeal. No appeal request is valid unless accompanied by the appeal fee or a City hardship waiver is granted.

(1) **Hardship Waiver.** If the appealing party establishes to the satisfaction of the City Manager or designee, by means of tax returns, pay stubs or other similar documentary evidence, and submits a declaration under penalty of perjury that paying the appeal fee would cause undue financial hardship to the appealing party the City Manager may grant a waiver of the appeal fee. The City Manager's determination is not appealable and shall be final as to the hardship waiver request.

(B) Hearing Committee. The appeal shall be heard by a committee (the "Hearing Committee"). The Hearing Committee shall consist of two Members of the City Council and the City Manager, plus one alternate City Council Member to facilitate timely hearings pursuant to this ordinance and resolve any potential conflicts of interest. The alternate City Council Member shall only participate in appeals where one of the other two City Council Members is unable to serve due to scheduling concerns or a conflict of interest. City Council Members shall be selected to serve on the Hearing Committee at the same time that other committees are formed by the City Council. Committee members shall not participate in the hearing process in cases when the member has had a substantial personal involvement with the party requesting the hearing and that personal involvement is a conflict of interest. The Hearing Committee shall be advised by the City Attorney to ensure proper legal procedures are followed and adhered to.

(C) Setting Appeal Hearing. The appeal hearing shall be set by the City Manager or his or her designee, and notice of the appeal hearing shall be sent to the appellant by first class mail at

the address provided with the written appeal request. The appeal hearing shall be set for a date no sooner than twenty (20) days following a request for an appeal hearing. Notice of the appeal hearing shall be mailed at least fifteen (15) days before the date set for hearing.

(D) Conduct of Appeal Hearing.

(1) **Testimony at the Hearing.** At the time set for the appeal hearing, the Hearing Committee shall proceed to hear testimony from the representative of the City, the appellant, and any other competent persons with respect to the determination of a violation and nuisance or the imposition of an administrative penalty.

(2) **Record of Oral Evidence at Hearing.** The proceedings at the hearing shall be reported by a tape recording, or video recording. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the requesting party's own expense.

(3) **Continuances.** The Hearing Committee may, upon request of the person, corporation, or entity against whom a penalty is to be imposed, or upon request of the City, grant continuances from time to time for extreme or unusual cause shown, or upon the Hearing Committee's own motion.

(4) **Oaths; Certification.** The City Clerk or certified shorthand reporter shall administer the oath or affirmation.

(5) **Evidence Rules.** Government Code Section 11513, subsections (a), (b), and (c) shall apply to all administrative hearings. At the Hearing Committee's sole discretion, other relevant evidence may be admissible and hearsay evidence may be used for the purpose of supplementing and explaining other evidence.

(6) **Burden of Proof.** The accuracy of the Notice and Order containing the description of the violations and/or public nuisance and the actions required to abate such nuisance or violation is deemed a rebuttable presumption and the burden is on the appellant to provide such facts and information to overcome such presumption by a preponderance of the evidence.

(7) **Rights of Parties.**

(a) Each party shall have the following rights among others:

(i) To call and examine witnesses on any matter relevant to the issues of the hearing;

(ii) To introduce documentary and physical evidence;

(iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(iv) To impeach any witness regardless of which party first called that witness to testify;

(v) To rebut the evidence against him or her;

(vi) To represent himself or herself or to be represented by anyone of his or her choice.

(b) If a party does not proficiently speak or understand the English language, that party may provide an interpreter, at that party's own cost, to translate for the party. An interpreter shall not have been a resident of the Premises or have had any personal relationship with or involvement in the parties or issues of the case prior to the hearing.

(8) Official Notice. In reaching a decision, the Hearing Committee may take official notice, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or which may appear in any of the official records of the City or county, or any of their departments.

(9) Inspection of the Premises.

(a) The hearing officer may inspect the Premises involved in the hearing prior to, during, or after the hearing, provided that:

(i) Notice of such inspection shall be given to the parties before the inspection is made;

(ii) The parties consent and are given an opportunity to be present during the inspection; and

(iii) The hearing officer shall state for the record during the hearing, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusions drawn there from.

(b) Each party shall then have a right to rebut or explain the matters so stated by the hearing officer either for the record during the hearing or by filing a written statement after the hearing for inclusion in the hearing record.

(c) Notice to the parties or the owner(s)' consent to inspect the building and surrounding properties is not required if the property can be inspected from

areas in which the general public has access or with permission of the other persons authorized to provide access to the property on which the building is located.

(E) Form and Contents of the Decision; Finality of Decision.

(1) **Format of Hearing Committee's Decision.** The Hearing Committee shall issue a written decision containing findings of fact and a determination of the issues presented. The Hearing Committee may affirm, modify or reverse the notice of violation or the Notice and Order imposed by the City or find that the imposition of the penalty is not warranted or is not in the interest of justice.

(2) **Contents of Hearing Committee's Decision.** If it is shown by a preponderance of all the evidence that the condition of the Premises constitutes a violation of the Rio Dell Municipal Code or is a public nuisance as defined in this chapter, the decision shall declare the Premises to be a public nuisance and shall order and require the appellant to abate the nuisance not later than ten calendar days after the issuance of the decision or, if ten calendar days is insufficient to abate the nuisance, within such other time as specified by the Hearing Committee not to exceed sixty days. The decision shall inform the appellant that if the nuisance is not abated within the time specified, the nuisance may be abated by the City in such manner as may be ordered by the Department Head and the expense thereof made a special assessment lien upon the property involved. This is in addition to any other legal remedies that the City may choose to compel compliance.

(3) **Service of the Hearing Committee's Decision.** Upon issuance of the decision, the City shall serve a copy on the appellant by first class mail to the address provided by appellant in the written notice of appeal. The Hearing Committee's decision shall be deemed served three days after the date it is mailed to the address provided by the appellant.

(4) **Finality of Hearing Committee's Decision.** The decision of the Hearing Committee on an appeal of a Notice and Order shall constitute the final administrative decision of the City and shall not be appealable to the City Council or any committee or commission of the City.

Article 5. Enforcement of Hearing Committee Order

8.10.180. Generally

After any notice of violation or any decision of a Hearing Committee made pursuant to this chapter has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order.

8.10.190. Failure to Obey Order—Abatement by City.

(A) If, after any notice of violation or any order of a Hearing Committee made pursuant to this chapter has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Department Head is authorized and directed to cause the nuisance to be abated by City personnel or private contract. In furtherance of this section, the Department Head shall obtain a warrant, if required, and thereafter is expressly authorized to enter upon the Premises for the purpose of abating the nuisance.

(B) Additionally, any person who fails to obey such order shall be guilty of a misdemeanor punishable as specified in Section 8.10.070(a)(2) of this chapter.

8.10.200. Interference with Work Prohibited.

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City, or with any person who owns or holds any estate or interest in any Premises on which a nuisance exists and which must be abated under the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the City, or person having an interest or estate in such Premises is engaged in the work of abating any nuisance as required by the provisions of this chapter, or in performing any necessary act preliminary to or incidental to such work authorized or directed pursuant to this chapter.

8.10.210. Costs of Abatement.

(A) The Department Head shall keep an account of the costs and expenses of abating such nuisance, and the City shall render a statement of such costs to the person or persons receiving the notice to abate.

(B) Such person or persons receiving the notice of violation or decision of the hearing officer shall be liable to the City for any and all costs and expenses to the City involved in abating the nuisance. Such costs and expenses are due upon receipt of the statement required in subsection (A) of this section.

(C) Costs and expenses as referred to in this section shall include all costs allowed to be recovered by law, including attorneys' fees as allowed by Government Code Section 38773.5 or its successor.

8.10.220. Procedure for Assessing Costs.

If the person liable to pay the costs of abatement fails to do so within thirty calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section

54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. The Department Head shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

8.10.230. Assessment of Costs—Special Assessment Lien Against Property.

(A) The total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

(B) After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.

Article 6. Additional Provisions Governing Abatement of Vehicles

8.10.240. Application of Article.

The requirements of this article apply to any action taken under this chapter to abate as a public nuisance an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof from private or public property.

8.10.250. Exemptions.

(A) This article shall not apply to:

- (1) A vehicle, or part thereof, that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
- (2) A vehicle, or part thereof, that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junkyard.

(B) Nothing in this section shall authorize the maintenance of a public or private nuisance as defined under provisions of a law other than Chapter 10, commencing with Section 22650, of Division 11 of the California Vehicle Code and this article.

8.10.260. Article Not Exclusive Regulation.

This article is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the City. It shall supplement and be in addition to the other regulatory Codes, statutes and ordinances heretofore or hereafter enacted by the City, the state or any legal entity or agency having jurisdiction.

8.10.270. Persons Granted Franchise or Contract—Right of Entry.

When the City has contracted with or granted a franchise to any person or persons, such person or persons shall be authorized to enter upon private or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this article.

8.10.280. Assessment of Administrative Costs Determination.

Administrative costs incurred by the City under this article shall be assessed pursuant to Article 8.10.220 of this chapter.

8.10.290. Abatement and Removal Authority.

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperative vehicle, or parts thereof, on private property or public property within the City, the Department Head shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this chapter.

8.10.300. Notice of Violation for Abandoned or Inoperable Vehicles.

A notice of violation to abate and remove a vehicle or parts thereof as a public nuisance, as required by Section 8.10.130, shall be served by registered or certified mail on the owner of the land as shown on the last equalized assessment roll and the owner of record of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notice of violation shall comply with Section 8.10.140, and also shall be in substantially the following forms:

**NOTICE OF INTENTION TO ABATE AND
REMOVE AN ABANDONED, WRECKED,
DISMANTLED, OR INOPERATIVE
VEHICLE OR PARTS THEREOF AS
A PUBLIC NUISANCE**

(Name and address of owner or land)

As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned, pursuant to Rio Dell Municipal Code Chapter 8.15 has

determined that there exists upon your land an abandoned, wrecked, dismantled or inoperative vehicle (or parts thereof) registered to _____, license number _____, which constitutes a public nuisance pursuant to provisions of Chapter 8.10. You are hereby notified to abate the nuisance by removing the vehicle (or parts of the vehicle) within ten (10) days from the date of mailing of this notice. If you fail to remove the vehicle or parts within ten (10) days, the City will abate the nuisance by removing the vehicle or parts to a scrap yard or automobile dismantler's yard, after which the vehicle or parts shall not again be made operable or reconstructed.

Removal costs and administrative costs will then be assessed to you as owner of the land on which the vehicle or parts are located. As owner of the land on which the vehicle or parts of the vehicle are located, you are hereby notified that you may, within ten (10) days after the mailing of this notice, request a public hearing. If such a request is not received by the Department Head within the ten (10) day period, the Department Head shall have the authority to abate and remove the vehicle or parts of the vehicle as a public nuisance and assess the removal and administrative costs without a public hearing. You may submit a sworn written statement within such ten (10) day period denying responsibility for the presence of the vehicle or parts of the vehicle on your land, with your reasons for denial. Such statement shall be construed as a request for hearing at which your presence is not required.

You may appear in person at the hearing requested by you or the owner of the vehicle or, in lieu thereof, may present a sworn written statement in time for consideration at the hearing. You may, through such sworn written statement deny responsibility for the presence of the vehicle or parts on your land with your reasons for denial.

Notice mailed _____ (date) [Department Head]

**NOTICE OF INTENTION TO ABATE AND
REMOVE AN ABANDONED, WRECKED,
DISMANTLED OR INOPERATIVE
VEHICLE OR PARTS THEREOF AS
A PUBLIC NUISANCE**

(Name and address of last registered and/or legal owner of record of vehicle—Notice should be given to both if different)

As the last registered (and/or legal) owner of record of (description of vehicle - make, model, license, etc) you are hereby notified that the undersigned pursuant to Rio Dell Municipal Code Chapter 8.15, has determined that the vehicle (or parts of the vehicle) exist as an abandoned, wrecked, dismantled, or inoperative vehicle at (describe location on public or private property) and constitutes a public nuisance pursuant to the provisions of Chapter 8.15.

You are hereby notified to abate the nuisance by removing the vehicle or parts of the vehicle within ten (10) days from the date of mailing of this notice. If you fail to remove the vehicle or parts within ten (10) days, the City will abate the nuisance by removing the vehicle or parts to a scrap yard or automobile dismantler's yard, ~~after which the vehicle or parts shall not again be made operable or reconstructed.~~

Removal costs and administrative costs will then be assessed to you as owner of the land on which the vehicle or parts are located. As registered (and/or legal) owner of record of the vehicle (or parts of the vehicle), you are hereby notified that you may, within ten (10) days after mailing of this notice, request a public hearing. If such a request is not received by the Department Head within the ten (10) day period, the Department Head shall have the authority to abate and remove the vehicle or parts of the vehicle without hearing.

Notice mailed _____ (date) [Department Head]

8.10.310. Hearing—Generally.

Upon request by the owner of the vehicle or owner of the land received by the Department Head within ten days after the mailing of the notices of intention to abate and remove, a public hearing shall be held in accordance with Section 8.10.170 on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and the cost of removal of the vehicle or parts thereof against the property on which it is located.

The owner of the land on which the vehicle is located may appear in person at the hearing or may present a sworn written statement denying responsibility for the presence of the vehicle on the land, with his or her reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that the landowner has not subsequently acquiesced to its presence, then the City shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect those costs from the landowner, if the vehicle has been removed from the property

8.10.320. Hearing—Presence of Owner Not Required—Abatement Without Hearing.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land within ten days after the mailing of the notice of violation to abate and remove, the statement shall be construed as a request for a hearing that does not require the owner's presence. If such a request for hearing is not received within the ten days after mailing of the notice of intention to abate and remove, the City shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing.

8.10.330. Order Requiring Removal.

At the conclusion of the public hearing, the Hearing Committee may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled or is inoperative on private or public property and order the same removed from the property as a public nuisance and disposed of as provided in this article and determine the administrative costs and the cost of removal to be charged against the owner of the land. The order requiring removal shall include a description of the vehicle or parts thereof and the correct identification number and license number of the vehicle, if available at the site.

8.10.340. Hearing—Non-assessment of Costs.

If it is determined at the hearing that the vehicle was placed on the land without consent of the owner of the land and that he or she has not subsequently acquiesced in its presence, the Hearing Committee shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land.

8.10.350. Hearing—Notification of Decision.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land but does not appear, or if an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision.

8.10.360. Removal—When

Once the decision of the Hearing Committee becomes final, the vehicle or parts thereof found to be a public nuisance may be disposed of by removal to a scrap yard or automobile dismantler's yard ten calendar days after adoption of the order declaring the vehicle or parts thereof to be public nuisance. ~~After a vehicle has been removed it shall not thereafter be reconstructed or made operable, unless it is a vehicle that qualifies for either horseless carriage license plates or historical vehicle plates, pursuant to California Vehicle Code Section 5004, in which case the vehicle may be reconstructed or made operable.~~

8.10.370. Removal—Notice to Department of Motor Vehicles.

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence or registration available, including registration certificates, certificates of title and license plates.

8.10.380. Removal—Costs—Assessment—Collection.

If the administrative costs and the cost of removal which are charged against the owner of the land pursuant to Section 8.10.280 are not paid within thirty days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the assessor for placement on the property tax roll and collected by the tax collector. The assessment shall have the same priority as other City taxes.

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on December 3, 2013 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the December 17, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 311-2013 adopted by the City Council of the City of Rio Dell on December 17, 2013.

Karen Dunham, City Clerk, City of Rio Dell



Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, December 17, 2013 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 311-2013 amending the existing Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code and approving and adopting new Nuisance Regulations. The Nuisance Regulations defines nuisances and the process for enforcing the regulations.**

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the December 17, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532 or Graham Hill, Police Chief, (707) 764-5641.

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
DECEMBER 17, 2013**

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director *SB*

DATE: December 11, 2013

SUBJECT: Ordinance No. 314-2014 Establishing Purchasing Procedures Section 3.10.110 and amending Section 3.30.100 of the Municipal code

RECOMMENDATIONS

Introduce and conduct the first reading of Ordinance No. 314-2014 Establishing Purchasing Procedures Section 3.10.110 and amending Section 3.30.100 of the Municipal code, and continue to the meeting of January 7, 2014 for further discussion and adoption.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

EPA has completed a desk review audit of the City's EPA Brownfield Grant. The EPA has made two recommendations; to adopt a lease vs. purchase policy and to include disciplinary procedures for any willful violator of these policies.

Staff have drafted a policy to meet EPA's requirement, and the main principles are:

1. In most situations, outright purchase will prove to be most economical. However, there may be certain circumstances that warrant a lease/rental.
 - a. The short-term or seasonal need for equipment may warrant lease/rental vs. purchase.
 - b. Highly technical equipment with a very short useful life may warrant lease/rental vs. purchase.
 - c. When ancillary benefits are offered with the lease such as maintenance, upgrades, or other marketing incentives that are valued above the cost of financing lease/rental may be the preferred alternative.
 - d. In circumstances where the City does not have sufficient capital to make a purchase.
2. A provision has also been added which specifies that any willful violator will be disciplined subject to the policies set forth in the City of Rio Dell Employee Handbook.

Adoption of this ordinance will bring the City into compliance with the EPA.

ORDINANCE No 314-2014
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ESTABLISHING PURCHASING PROCEDURES,
SECTION 3.10.110 AND
AMENDING SECTION 3.30.100 OF THE RIO DELL MUNICIPAL CODE

The City Council of the City of Rio Dell does ordain as follows:

Section 10: Lease vs. Purchase Analysis. Normally the City encourages the outright purchase of equipment as opposed to lease, lease-purchase, rental, or rental-purchase agreements. In most situations, the outright purchase will prove to be the most economical if calculated over the useful life of the product. However, there may be certain situations that warrant further investigation of lease or rental options. These situations are summarized as follows:

- a. Short-term or seasonal needs for equipment may dictate that purchase is unreasonable. If the period of need for the equipment is substantially less than its anticipated useful life expectancy, then rental or lease options should be investigated and compared to the purchase cost less the anticipated resale value.
- b. In case of highly technical equipment, whose useful life cannot be accurately projected, and lease or rental options are offered through the manufacturer, the distributor or third parties may be investigated as a viable alternative to purchase. In such situations analytical comparisons of purchase, lease or rental options should be made to determine which represents the best interest of the City.
- c. Ancillary benefits of the lease or rental (maintenance costs, upgrades, vendor promotions, special marketing incentives) and situations where the net additional cost of lease or rental is less than the cost of money make that type of arrangement the more prudent investment.

When initiating a requisition for the lease, lease-purchase or long-term rental of equipment, the originating department should clearly explain the necessity or desirability of that type of arrangement.

Departments should first attempt to find the necessary funds from internal resources. If no such internal options exist, evaluate existing payment options to determine the most effective course of action for the City. If it is determined that a loan option is cost effective, the department head should request approval through the City Manager.

Section 11: Unlawful Purchases. No purchases or contracts shall be made contrary to the provision of his ordinance. No contract shall be purposely split or subdivided to avoid the provisions of this ordinance. Any employee who willfully violates this policy will be subject to discipline up to and including termination pursuant to the disciplinary policies set forth in the City of Rio Dell Employee handbook.

Section 12: Effective Date. This ordinance shall take effect and be in full force thirty days following the date of its passage. It shall be posted in three public places in the City of Rio Dell, State of California, pursuant to Government Code Section 36933.

*675 Wildwood Avenue
Rio Dell, CA 95562*



TO: Rio Dell City Council

THROUGH: James Stretch, City Manager

FROM: Karen Dunham, City Clerk

DATE: December 17, 2013

SUBJECT: Adoption of 2013 California Building Codes and Appendices

RECOMMENDATION

Receive Staff Report; open Public Hearing and receive public input; close Public Hearing; make a motion for introduction and first reading (by title only) of Ordinance No. 315-2014 amending Building Codes and Appendices, Section 15.05.020 of the Rio Dell Municipal Code.

BACKGROUND AND DISCUSSION

The State of California Building Standards Commission updates Building Codes every three (3) years based on the model uniform codes published by the International Code Council . The new California Code of regulations, title 24, was published in July, 2013. The 2013 California Building Standards Codes (Codes) adopted by the Building Standards Commission went into effect 180 days after the July publication by the State. The Codes must be enforced by each City and County as of January 1, 2014.

Each jurisdiction in California may either adopt these codes as written or may establish more restrictive building standards deemed necessary to address local climatic, geological, or topographical conditions. Staff's recommendation is to adopt the Codes as adopted by the State Building Standards Commission based on model uniform codes published by the International Code Council.

All of the California Building Codes required to be adopted by the City of Rio Dell are listed in Exhibit B.

ORDINANCE NO. 315-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING BUILDING CODES AND APPENDICES, SECTION 15.05.020 OF THE RIO DELL MUNICIPAL CODE

WHEREAS, the California Building Standards Commission is responsible for administering California's building codes, including adopting, approving, publishing, and implementing codes and standards; and

WHEREAS, the California Building Standards Code is published every three years and amends the California Code of Regulations, Title 24; and

WHEREAS, these codes, based substantially on the model codes published by the International Code Council, are commonly referred to as the California Building Code ("Code"), and include, but are not limited to, building, plumbing, mechanical, electrical, fire and energy codes; and

WHEREAS, in January 2013, the State of California Building Standards Commission adopted many of these codes with amendments and published them as California codes; and

WHEREAS, the new California Code of regulations, Title 24, was published in July 2013. The State also adopted in January 2013 the following California codes specific to California: California Energy Code, California Administrative Code, California Existing Building Code, California Historical Code, and the California Green Building Standards Code; and

WHEREAS, the codes adopted by the Building Standards Commission go into effect 180 days after publication by the State and must be enforced by each City and County as of January 1, 2014.

NOW, THEREFORE, the City Council of the City of Rio Dell does hereby ordain as follows:

SECTION 1. DECLARATION OF INTENT

The purpose of this ordinance is to repeal, in its entirety, Chapter 15.05.020 Building Codes of Title 15 – Construction Codes of the Rio Dell Municipal Code and replace in its entirety with Ordinance No. 315-2014 including Exhibit B attached hereto and codified in this title, division and chapter and on file in the City Clerk's office.

SECTION 2. CONFLICTS

All ordinances and parts of ordinances or resolutions, in conflict herewith, are hereby repealed to the extent of such conflicts and no further.

All ordinances and parts of ordinances or resolutions, in conflict herewith, are hereby repealed to the extent of such conflicts and no further.

SECTION 3. EFFECTIVE DATE

The effective date of this ordinance is thirty (30) days after its adoption by the City Council.

INTRODUCED AND FIRST READING (by title only) held on the 17th day of December, 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jack Thompson, Mayor

ATTEST:

Karen Dunham, City Clerk

SECOND READING (by title only) held on the 7th day of January, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jack Thompson, Mayor

ATTEST:

Karen Dunham, City Clerk

EXHIBIT B

The following California Building Codes are required to be adopted by the City of Rio Dell:

CALIFORNIA ADMINISTRATIVE CODE

2013 California Administrative Code (Part 1 of Title 24)

Based on the 2012 International Building Code (IBC).

CALIFORNIA BUILDING CODE

2013 California Building Code (Part 2 of Title 24), including Chapter 1 Division II (administration), and Appendices A (qualifications), C (agriculture), F. (rodent proofing), G (flood resistant), H (signs), I (patio covers), and J (grading)

Based on the 2012 International Building Code (IBC).

CALIFORNIA RESIDENTIAL CODE

2013 California Residential Code (Part 2.5 of Title 24) including Chapter 1 Division II (administration), and Appendices E (Manufactured Housing used as dwellings), G (swimming pools, spas, and hot tubs), J (existing building and structures), K, (sound transmission), N (venting methods), O (gray water recycling systems), P (sizing of water piping systems).

Based on the 2012 International Residential Code (IRC).

CALIFORNIA ELECTRICAL CODE

2013 California Electrical Code (Part 3 of Title 24)

Based on the 2012 National Electrical Code (NEC)

CALIFORNIA MECHANICAL CODE

2013 California Mechanical Code (Part 4 of Title 24), including Chapter 1 Division II (administration)

Based on the 2012 Uniform Mechanical Code ((UMC)

CALIFORNIA PLUMBING CODE

2013 California Plumbing Code (Part 5 of title 24), including chapter 1 Division II (administration)

Based on the 2012 Uniform Plumbing Code (UPC)

CALIFORNIA ENERGY CODE

2013 California Energy Code (Part 6 of Title 24), including Chapter I Division II (administration)

CALIFORNIA HISTORICAL BUILDING CODE

2013 California Historical Building Code (Part 8 of Title 24) including Chapter I Division II (administration)

CALIFORNIA FIRE CODE

2013 California Fire Code (Part 9 of Title 24), including Chapter I Division II (administration)

Based on the 2012 International Fire Code (IFC)

CALIFORNIA EXISTING BUILDING CODE

2013 California Existing Building code (Part 10 of Title 24)

Based on the 2012 International Existing Building Code (IEBC)

CALIFORNIA GREEN BUILDING STANDARDS CODE – “CAL Green”

2013 California Green Building Standards Code (Part I of Title 24) (Tier 1) including Chapter 1 Division II (administration)

CALIFORNIA REFERENCED STANDARDS CODE

2013 California Referenced Standards Code (Part 12 of Title 24)

1997 UNIFORM BUILDING CODE

1997 Uniform Housing Code

Published by the International Conference of Building Officials as referenced by the California Department of Housing and Community Development and pursuant to the provisions of Section 17958, 17958.5, 17958.9, and 17959 of the California Health and Safety Code

**CITY OF RIO DELL
CHECK REGISTER**

Check	Date	Vendor	Description	Check / Payment
00002134	11/01/2013	[3108] ACCUFUND, INC.	ACCUFUND SOFTWARE UPGRADE & RELATED SUPPORT F	1,762.50
			COMPUTER SUPPORT FOR UTILITY BILLING, PAYROL	
			COMPUTER SUPPORT - BUDGET REVENUE AND EXPENSE	
00002135	11/01/2013	[5235] ADVANTAGE FINANCIAL SERVICES	MONTHLY PAYMENT FOR DOCSTAR 3.12 SOFTWARE PA	148.35
00002136	11/01/2013	[3604] STEPHANIE N. BEAUCHAINE	MILEAGE REIMBURSEMENT FOR SCORE STRATEGIC PLA	247.61
00002137	11/01/2013	[4937] CALIFORNIA DEPARTMENT OF TRANSPORTATION	SIGNALS & LIGHTING BILLING FOR JULY 2013 THRO	378.88
00002138	11/01/2013	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT PAYMENT CASE #200000001183524 FOR	102.11
00002139	11/01/2013	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 10/18/13	120.00
00002140	11/01/2013	[2342] DEPT OF CONSERVATION DIVISION OF ADMIN.	STRONG MOTION INSTRUMENTATION AND SEISMIC HAZ	68.19
			STRONG MOTION INSTRUMENTATION AND SEISMIC HAZ	
			STRONG MOTION INSTRUMENTATION AND SEISMIC HAZ	
00002141	11/01/2013	[4382] DOCUSTATION	MONTHLY MAINTENANCE AND COPY CHARGES FOR OCTO	822.56
00002142	11/01/2013	[2394] FEDEX	POSTAGE TO HDR ENGINEERING, CA LAADS COMMISSI	136.90
00002143	11/01/2013	[2396] FERNBRIDGE TRACTOR & EQUIPMENT CO., INC.	MOWER 60"	6,998.26
00002144	11/01/2013	[2407] FORBUSCO LUMBER	TOW TYPE SPIN SPREADER	45.92
00002145	11/01/2013	[2411] DEARBORN NATIONAL LIFE INSURANCE COMPANY	METAL STAKES FOR CITY OF RIO DELL SIGN LIFE INSURANCE FOR NOVEMBER 2013	248.00
00002146	11/01/2013	[2501] HAJOCA CORPORATION	GASKET FOR SPRINKLERS	664.83
00002147	11/01/2013	[4885] HDR ENGINEERING, INC.	VALVES FOR SPRINKLER SYSTEM ENGINEERING & PROFESSIONAL ..SERVICES FOR SEP	21,814.08
00002148	11/01/2013	[5158] KURT HIRTZER INSPECTION SERVICES	INSPECTION / CONSTRUCTION MANAGEMENT SERVICES	18,000.00
00002149	11/01/2013	[5479] MARK VELLIS CONSTRUCTION	EXTERIOR WORK- INVOICE FOR REDWOOD EMPIRE ROO	14,350.00
00002150	11/01/2013	[4502] MATSON & VALLERGA ARCHITECTS, INC	CITY HALL ADA ALTERATIONS MASTER PLANNING STUDY - CITY HALL & POLICE DE	1,635.00
00002151	11/01/2013	[3484] NATIONAL METER & AUTOMATION, INC	MAINTENANCE INVENTORY - METERS, RUBBER METER	4,541.76
00002152	11/01/2013	[2570] NILSEN COMPANY	SEED FOR LEVY AT CORP YARD	77.79

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002153	11/01/2013	[2569] NORTH COAST LABORATORIES, INC.	WATER LAB TESTING	568.00
0002154	11/01/2013	[4338] QUILL CORPORATION	CORRECTION TAPE	21.49
0002155	11/01/2013	[3029] REDWOOD COFFEE SERVICE	COFFEE SERVICES	60.00
0002156	11/01/2013	[2742] SCOTIA TRUE VALUE HARDWARE	PAINT REMOVER & ADJ SPRAYER	87.37
			BI-METAL HOLE SAW	
			COUPLINGS FOR DIXIE STREET REPAIR	
			INVENTORY PARTS: LOCKWASHERS, HEX NUTS AND CA	
0002157	11/01/2013	[5376] SCOTTY'S CUTTERS EDGE	LIGHT BULBS AND 50 PK-42 GALLON CONTRACTOR WATER PUMP REPLACEMENT FOR WATER DEPARTMENT	462.24
0002158	11/01/2013	[2709] STAPLES DEPT. 00-04079109	11X17 COPY PAPER	159.57
0002159	11/01/2013	[2710] STARPAGE	PAGER SERVICES FOR NOVEMBER 2013	12.95
0002160	11/01/2013	[2319] SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICES FOR NOVEMBER 2013	243.23
0002161	11/01/2013	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 10/18/2013	4,695.28
0002162	11/01/2013	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR NOVEMBER 2013	377.24
0002163	11/01/2013	[2772] WENDT CONSTRUCTION, INC	EXCAVATOR 1 DAY RENTAL	1,177.50
0002164	11/01/2013	[2792] ZUMAR INDUSTRIES, INC.	STOP SIGNS, NOT A THROUGH STREET SIGNS	1,154.00
0002165	11/05/2013	[2368] EEL RIVER DISPOSAL	GARBAGE BAGS FOR OCTOBER 2013	617.05
0002166	11/05/2013	[2502] KEMP INSPECTION SERVICE	INSPECTION SERVICES FOR OCTOBER 2013	3,541.90
0002167	11/08/2013	[0576] 101 AUTO PARTS	LIGHT BULB NEW WATER PUMP, ANTI FREEZE FOR VACTOR FLUSH KIT FOR VACTOR TRUCK	789.28
			FUEL TANKS FOR F - 350	
			FUEL LINE DISCON FOR SERVICE TRUCK	
			GAS HOSE, HOSE FOR PW DIRECTOR'S VEHICLE	
			ANNUAL WEB HOSTING	300.00
0002168	11/08/2013	[2203] AESTHETIC DESIGN & PHOTOGRAPHY	PHONE EXPENSES FOR OCTOBER 2013	523.03
0002169	11/08/2013	[3975] AT&T - 5709	PAPER TOWELS, BATH TISSUE	271.05
0002170	11/08/2013	[2240] BAY WEST SUPPLY, INC.	PERMIT ASSESSMENT FEES FOR APRIL THROUGH JUNE	40.50
0002171	11/08/2013	[4603] CALIF. BUILDING STANDARDS COMMISSION	PERMIT ASSESSMENT FEES FOR JULY THROUGH SEPT	
0002172	11/08/2013	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT PAYMENT CASE #200000001183524 FOR	102.11
0002173	11/08/2013	[5330] CAPITAL ONE COMMERCIAL	XEROX PHASER COLOR PRINTER FOR CITY CLERK	188.11
0002174	11/08/2013	[5435] CH2MHILL	PROFESSIONAL SERVICES RELATED TO THE CITY INF	2,994.36
0002175	11/08/2013	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR NOVEMBER 2013	1,542.00
0002176	11/08/2013	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 11/1/2013	120.00
0002177	11/08/2013	[4773] CPS HUMAN RESOURCE SERVICES	SENIOR ACCOUNT CLERK TEST	389.85
0002178	11/08/2013	[5127] DELTA DENTAL	DENTAL INSURANCE FOR DECEMBER 2013	1,967.06
0002179	11/08/2013	[2393] FASTENAL COMPANY	WATER INVENTORY	68.29

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002180	11/08/2013	[2396] FERNBRIDGE TRACTOR & EQUIPMENT CO., INC.	ARMREST FOR JOHN DEERE MOWER	104.25
0002181	11/08/2013	[2407] FORBUSCO LUMBER	CREDIT INVOICE # 615216	110.76
0002182	11/08/2013	[2405] FORTUNA ACE HARDWARE	HAMMER, SHOVELS	141.70
0002183	11/08/2013	[5241] GE CAPITAL	TRAFFIC MARK, HOME DEFENSE RTU, WASP & HORNET	475.49
0002184	11/08/2013	[5052] GHD	XEROX COPIER RENTAL PAYMENT FOR NOVEMBER 2013	32,113.00
0002185	11/08/2013	[2501] HAJOCA CORPORATION	PROFESSIONAL SERVICES FOR RIO DELL DOWNTOWN I	3,787.10
0002186	11/08/2013	[2502] KEMP INSPECTION SERVICE	PROFESSIONAL SERVICES FOR RIO DELL DOWNTOWN I	50.00
0002187	11/08/2013	[2546] MERCER FRASER CO., INC.	WATER INVENTORY PARTS	346.53
0002188	11/08/2013	[4908] MITCHELL BRISSE DELANEY & VRIEZE	INVENTORY - 11X17 FIBERLYTE BOXES	1,154.00
			NUT VALVE WRENCH	
			BRASS TEE, BRASS NIPLE, ANGLE BALL VALVE, BRA ELECTRICAL INSPECTION AT WILDWOOD AVE, LIGHTN	50.00
			ASPHALT CONCRETE	
			EMULSION OIL	346.53
			PROFESSIONAL SERVICES FOR OCTOBER 2013	1,154.00
			PROFESSIONAL SERVICES FOR OCTOBER 2013	
			PROFESSIONAL SERVICES FOR OCTOBER 2013	
			PROFESSIONAL SERVICES FOR THE MONTH OF OCTOBE	
0002189	11/08/2013	[2410] NORTH COAST CLEANING SERVICES, INC.	CLEANING SERVICES FOR OCTOBER 2013	471.00
0002190	11/08/2013	[2569] NORTH COAST LABORATORIES, INC.	TESTING - COLIFORM QUANTI-TRAY	175.00
			TESTING - AMMONIA NITROGEN WITHOUT DISTILLATI	
0002191	11/08/2013	[2616] PIERSON BUILDING CENTER	STAPLE (1000)	96.33
0002192	11/08/2013	[4338] QUILL CORPORATION	INK FOR RECEIPT PRINTERS	23.64
0002193	11/08/2013	[2659] RIO DELL PETTY CASH	PROPANE & AC CHARGER ADAPTER	64.42
0002194	11/08/2013	[2742] SCOTIA TRUE VALUE HARDWARE	RODENT ABATEMENT SUPPLIES	537.92
			LYSOL WIPES	
			MP 4 OZ THREAD SEAL	
			STD NIPPLES, BLACK HEX BUSHING	
			MADE DUPLICATE KEYS, KITCHEN BAGS, WASTE-BASK	
0002195	11/08/2013	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICES FOR NOVEMBER 2013 AND BOX RE	75.60
0002196	11/08/2013	[5294] DANIEL SMITH	PW CLOTHING ALLOWANCE REIMBURSEMENT FOR RAIN	85.99
0002197	11/08/2013	[4662] JAMES R STRETCH	REIMBURSEMENT FOR AIRPORT PARKING FEE, LUNCH	59.00

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002198	11/08/2013	[2758] USDA RURAL DEVELOPMENT	CASE # 04-012-0941603860..CODE 92 LOAN # 03	3,375.00
0002199	11/08/2013	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 11/1/2013	4,695.28
0002200	11/08/2013	[2779] WILDWOOD SAW	SMALL TOOLS - HT SAW BAR	2,897.39
0002201	11/08/2013	[2787] WYCKOFFS	BILLY GOAT BRUSH CUTTER	71.45
0002202	11/20/2013	[5443] AIRGAS USA, LLC	BRASS TEES, BRASS STREET 90, BRASS NIPPLE TO	16.64
0002203	11/20/2013	[2247] ANTHEM BLUE CROSS	CYLINDER RENTAL	15,682.00
0002204	11/20/2013	[2224] AQUA BEN CORPORATION	HEALTH INSURANCE FOR DECEMBER 2013	2,992.80
0002205	11/20/2013	[5490] CAL ELECTRO INC.	HYDROFLOC 275 GAL. DRUM	439,644.28
0002206	11/20/2013	[5330] CAPITAL ONE COMMERCIAL	PAYMENT NO. 1 PER CONTRACT FOR WILDWOOD	
0002207	11/20/2013	[2285] CC MARKET (1)	AVENU	
0002208	11/20/2013	[2383] EUREKA OXYGEN CO.	CUPS, TAPE FOR LABEL MAKER, BINDERS	76.81
0002209	11/20/2013	[2386] EUREKA RUBBER STAMP CO.	BLEACH	21.42
0002210	11/20/2013	[4451] HARBOR FREIGHT TOOLS	CYLINDER RENTAL	28.87
0002211	11/20/2013	[2596] PARKER ELECTRIC CO	NAME PLATES/CUSTOM STAMP	137.77
0002212	11/20/2013	[2603] PG&E	MISC SUPPLIES AND TOOLS - MAGIC MOVING	159.37
0002213	11/20/2013	[2619] PITNEY BOWES, INC. (QTR Pymnt)	SLIDER	161.04
0002214	11/20/2013	[5222] R.J. RICCIARDI, INC	CHECK VOLTAGE HIGH AT 538 VOLT DUE TO PG&E,	
0002215	11/20/2013	[4643] SCOTIA PRINTING	C	
0002216	11/20/2013	[2694] SHELL OIL CO.	UTILITY EXPENSES FOR OCTOBER 2013	19,281.20
0002217	11/20/2013	[2251] STATE BOARD OF EQUALIZATION	QUATERLY PAYMENT	499.23
0002218	11/20/2013	[2714] SWRCB ACCOUNTING OFFICE ATTN: AFRS	PROFESSIONAL SERVICES THROUGH OCTOBER 2013	5,750.00
0002219	11/20/2013	[4450] TERMINIX	PRINT BUILDING PERMIT APPLICATIONS	182.75
0002220	11/20/2013	[2735] TIMES-STANDARD	ADMINISTRATION FUEL EXPENSES FOR THE MONTH	3,258.18
0002221	11/20/2013	[5108] WAHLUND CONSTRUCTION INC.	OF	
0002222	11/27/2013	[2757] US POSTMASTER	PD FUEL EXPENSES FOR OCTOBER 2013	
0002223	11/27/2013	[2269] ADVANCED DISPLAY & SIGNS	PD FUEL EXPENSES FOR NOVEMBER 2013	
			PW FUEL EXPENSES FOR OCTOBER 2013	
			PD FUEL EXPENSES FOR NOVEMBER 2013	
			WATER ROGHTS PERMIT # 21161 7/1/2013-6/30/201	531.37
			LICENSE FEE 7/1/2013-6/30/2014	
			LICENSE FEE 7/1/2013 -6/30/2014	
			ANNUAL PERMIT FEE SLUDGE FACILITY 7/1/13 - 6/	
			ANNUAL PERMIT FEE FOR TREATMENT FACILITY 7/1/	11,650.00
			ANNUAL PERMIT FEE FOR COLLECTION SYSTEM	
			7/1/1	
			PEST CONTROL - 675 WILDWOOD AVENUE	93.00
			PEST CONTROL - 475 HILLTOP DR	
			AD FOR SENIOR FISCAL ASSISTANT II	1,373.09
			PAY REQUEST NO. 20 PER CONTRACT	556,520.84
			POSTAGE FOR NOVEMBER 2013 FOR UTILITY	341.25
			BILLING	
			64 X 48 IN. CITY OF RIO DELL SIGN AND PAINTIN	517.47

CITY OF RIO DEL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002224	11/27/2013	[2237] BANK OF AMERICA BUSINESS CARD	PELICAN CASES.COM - PELICAN 1400, WITH FOAM, WILSONS GUN SHOP - TRAK-LOCK II FRONT SIGHT 1 TARGET - ANTI BACTERIAL SOAP FOR WWTP SUPPLIESOUTLET.COM - HP CE285A COMPATIBLE BLA GARNISHMENT PAYMENT CASE #200000001183524 FOR POA DUES FOR PPE 11/15/13 MONTHLY MAINTENANCE AND COPY CHARGES FOR THE DEBRIS FROM PUBLIC WASTE SHED DEBRIS FROM PUBLIC WORKS SHED PU BASE PU BASE PU BASE PU SAND PU SAND 1/2" PVC COUPLINGS AND 1/2" PVC 90D ELBOW LIGHT BULB CFL LAMP LIGHT DEFUSER - CITY HALL BUILDING MAINTENANC 2002 JEEP LIBERTY ROCK CHIP REPAIR CUSTOMER DEPOSIT REFUND CUSTOMER DEPOSIT REFUND ENGINEERING SERVICES AND PROFESSIONAL SERVICE CUSTOMER DEPOSIT REFUND REMOVE & INSTALL NEW DRAIN PIPE, REMOVE & REP VICTOR PVC PIPE CUTTER FIX DRIVE MAPS AND ACCUFUND ACCESS FOR ACCOUN INTERNET DOWN HAD TO REBOOT MODEM PENS, INK REFILLS, POST-IT POP-UP NOTES CUSTOMER DEPOSIT REFUND 80 LB CONCRETE MIX 15A WHT PRM GFCI OUTLET ROCK SALT 6 PALLETS 100 FOIL & DIE CUT FRONT COVERS & 100 BLANK B RETIREMENT FOR PPE 11/15/2013 SPRING & OGLE STREETS: INSTALL 80 FT OF 18" A	1,055.28 102.11 120.00 400.10 141.25 178.45 42.40 59.00 22.30 5.68 5,741.43 13.38 10,250.00 154.99 144.00 61.76 65.68 22.76 1,860.97 988.88 20,345.79 7,000.00 1,253,242.64
0002225	11/27/2013	[2261] CALIFORNIA STATE DISB UNIT		
0002226	11/27/2013	[2303] COAST CENTRAL CREDIT UNION		
0002227	11/27/2013	[4382] DOCUSTATION		
0002228	11/27/2013	[2366] EEL RIVER DISPOSAL		
0002229	11/27/2013	[2365] EUREKA READYMIX		
0002230	11/27/2013	[2405] FORTUNA ACE HARDWARE		
0002231	11/27/2013	[2423] GEORGE'S GLASS		
0002232	11/27/2013	[5074] ZACK GROSS		
0002233	11/27/2013	[4985] AMBER HART		
0002234	11/27/2013	[4885] HDR ENGINEERING, INC.		
0002235	11/27/2013	[5355] TRAVIS C HUMPHREY		
0002236	11/27/2013	[5441] JC CONTRACTING		
0002237	11/27/2013	[5496] NORMAC, INC.		
0002238	11/27/2013	[4393] NYLEX.NET		
0002239	11/27/2013	[4338] QUILL CORPORATION		
0002240	11/27/2013	[5433] RISING, JORDIE		
0002241	11/27/2013	[2742] SCOTIA TRUE VALUE HARDWARE		
0002242	11/27/2013	[4818] THREE G'S HAY & GRAIN		
0002243	11/27/2013	[4151] TIMES PRINTING COMPANY		
0002244	11/27/2013	[2481] VANTAGEPOINT TRANSFER AGENTS-304361		
0002245	11/27/2013	[2772] WENDT CONSTRUCTION, INC		
Total Checks/Deposits				1,253,242.64